

1 Mark R. Thierman, CBN 72913 NBN 8285
2 **THIERMAN LAW FIRM**
3 7287 Lakeside Drive
4 Reno NV 89511
5 Tel: (775) 284-1500
6 Fax: (775) 703-5027
7 Email: laborlawyer@pacbell.net

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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SCOTT WOOD, CHARLES W. JUDSON,) Case No.: S-03-2592 DFL PAN
WILLIAM BATES, SYBILLE GROTE,)
MARTIN REEVES, ERNEST STEWART,) [PROPOSED] ORDER APPOINTING
STEVE FORSYTHE, ROBERT BADILLA,) CLASS COUNSEL
BRIAN THOMPSON, KARVIN TILANDER,)
CHARLES ("CHUCK") JENNINGS,)
LORENZO RAMIEREZ and MINDY)
GABRIEL on behalf of themselves and all)
others similarly situated,)
Plaintiff,)
vs.)
GRANITE CONSTRUCTION COMPANY)
and FEDERAL INSURANCE COMPANY)
Defendants)
SCOTT WOOD, CHARLES W. JUDSON,) Related Case No.: CIV S-03-02514 DFL PAN
WILLIAM BATES, SYBILLE GROTE,)
MARTIN REEVES, ERNEST STEWART,)
STEVE FORSYTHE, ROBERT BADILLA,)
BRIAN THOMPSON, KARVIN TILANDER)
and CHUCK JENNINGS, on behalf of)
themselves and all others similarly situated,)
Plaintiff,)
vs.)
VALENTINE SURFACING, TRAVELERS)
CASUALTY AND SURETY COMPANY OF)
AMERICA and UNITED PACIFIC)
INSURANCE COMPANY,)
Defendants

The Motion of Scott Wood, et. al. for class certification came on regularly for hearing before this Court before the Honorable David F. Levi, Presiding, and Mark R. Thierman appeared as attorney for Plaintiff and Scott Oborne appeared as attorney for Defendants.

After full consideration of the evidence and on the separate statements of each party, and the authorities submitted by counsel, as well as counsel's oral argument, the Court finds that Mark R. Thierman is appointed to act as counsel for the class and makes the following findings:

Pursuant to the Federal Rules of Civil Procedure, Rule 23(g), Mark R. Thierman will be able to fairly and adequately represent the interests of the class because Mark R. Thierman has almost 30 years of experience in labor and employment law, including experience with class action lawsuits, has sufficient knowledge of the applicable law and the resources needed to commit to representing the class.

IT IS SO ORDERED.

Dated this 2nd day of November, 2005

/s/ David F. Levi

Honorable David F. Levi